

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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NO: 09-1281-MAM

Kenneth J Taggart, Pro Se

Plaintiff

v.

Norwest Mortgage, et al

Defendant(S)

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**Motion to Withdraw Remaining Count/Claim against Wells Fargo  
(Claims previously dismissed are not withdrawn)**

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USDC-EDPA  
RECD CLERK

2012 OCT 22 P 1:35

The Plaintiff, Kenneth J Taggart, hereby motions the court to withdraw the sole remaining count/claim against Wells Fargo. Plaintiff Taggart, does not withdraw any claims or appeals for claims that were previously dismissed in this case.

**History**

Plaintiff currently represents himself, Pro Se. It has become necessary for the plaintiff to withdraw the sole remaining claim against Wells Fargo due to the toll the litigation has taken on him from a personal, medical, emotional standpoint. Plaintiff, Taggart, asserts and maintains all other claims against defendants that were previously dismissed and preserved any and all rights to any and all appeals allowed by law.

### **Abuse by Wells Fargo & their Counsel**

Due to the overwhelming abuse by Wells Fargo and their counsel in this case, Plaintiff is forced to withdraw the sole remaining complaint and focus on the foreclosure action initiated by Wells Fargo since this case commenced and other abuses that have occurred during the course of this litigation. Wells Fargo, via their counsel, "Blank Rome", have violated the privacy rights of Kenneth Taggart by submitting un redacted personal & financial information to the court and Internet, have subpoenaed financial & personal information in violation of court rules, and have Committed "Fraud Upon the Court" by submitting fraudulent information to the court; Information submitted to the court by counsel that is fraudulent occurred when counsel made oral & written statements to the court and testified that, among other things, derogatory & late payment information was not submitted to the credit bureaus (per an attorney review), when they in fact did so. Experian, Trans Union, and Equifax all provided documentation, via a subpoena, confirming that John Lucian & Gregory Vizza, of Blank Rome, had intentionally lied to the court.

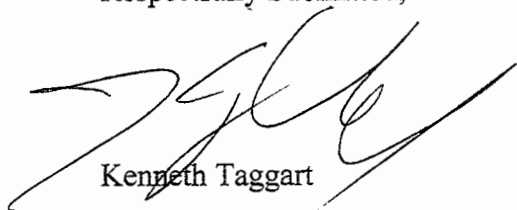
### **Forced to focus on Foreclosure, Abuse, & Potential Predatory Lending Appeals**

Wells Fargo had initially agreed not to foreclose on the subject property until this litigation was completed; This was agreed to at a hearing in this very court. Wells Fargo has filed and is pursuing a foreclosure action as noted earlier and plaintiff is forced to focus on defending claims in this action. Plaintiff must now focus on foreclosure defense and mitigating foreclosure abuse and privacy violations that have occurred during the course of this litigation. This is notwithstanding the "Fraud Upon the Court" as stated earlier that must be addressed by plaintiff as well.

## Conclusion

For the forgoing reason stated in this brief, plaintiff must focus remaining resources on Foreclosure defense and other violations that have injured plaintiff during the course of this litigating this case. Plaintiff, Taggart, maintains all remaining claims against Wells Fargo and preserves any appeal rights. The only claim being withdrawn is the remaining RESPA Claim that was not dismissed previously.

Respectfully Submitted,



Kenneth Taggart

October 22, 2012

Certificate of Service

Case # 09-CV-1281

The undersigned certifies that on October 22, 2012 , he caused a copy of :

**Motion to Withdraw Remaining Count/Claim against Wells Fargo  
(Claims previously dismissed are not withdrawn) ,**

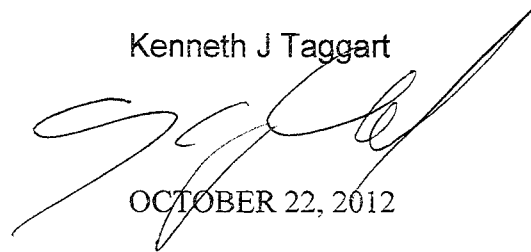
To be delivered to the court via personal service, and on the following parties via US Mail:

Blank Rome  
Gregory Vizza

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John Lucian  
130 n 18<sup>th</sup> St  
1 Logan Square  
Philadelphia, Pa 19103  
Council for Defendants

Kenneth J Taggart

A handwritten signature in black ink, appearing to read 'Kenneth J Taggart', is written over the printed name and date.

OCTOBER 22, 2012